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AUTHOR Ulrich, Walter
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ABSTRACT

The first negative is often an underutilized speech. The question is what can be done to increase the importance of the first negative speech? The preparation of a superior first negative speech begins prior to the round by developing briefs, coordinating arguments with the second negative, and having a pre-round discussion to reduce the possibility of contradictions. In many of today's debates there is a great deal of emphasis on theoretical issues and topicality. All topicality arguments can do is define the nature of the resolution and how the debate should be evaluated. Two misinterpretations that are often made by negative debaters include: (1) thinking that a fixed set of theoretical rules apply to all debates; and (2) the way that topicality should be resolved. In most cases, the first negative should attack the bulk of the case. Not every affirmative argument should be attacked; instead, the negative speaker should determine what affirmative arguments are crucial to the case, and should emphasize those arguments. It has become increasingly common for the first negative to present a very short version of an argument in order to make the second affirmative respond to the argument. Successful negative strategy requires hard work and planning, before, during, and after the round. (MG)

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First Negative[1]

Walter Ulrich
University of Northern Iowa

The first negative is often a underutilized speech. While at one time, many years ago, case arguments were the focus of most debates, in recent years the first negative has been relegated to a relatively minor position. Second negatives often view the first negative speech as either eight minutes of preparation time, or as an opportunity to present a "shell" version of their value objections, giving the second negative the opportunity to use his or her entire constructive speech to extending the argument. Since it is the second negative rebuttal that determines which negative arguments should be weighed by the judge in reaching the final decision, and since second negatives tend to be partial to their own arguments, first negative arguments tend to be given little emphasis in the final rebuttals. The question is, what can be done to increase the importance of the first negative speech?

PRIOR TO THE ROUND

The preparation of a superior first negative speech begins prior to the round. Negative teams should attempt to anticipate potential affirmative arguments that they may face. This should be done both by reading about the topic and by seeking out information about cases during tournaments. I find it useful to place all of this material on list; by referring to the list debaters can identify those arguments that they need to work on.

Once potential arguments have been identified, the first negative speaker should develop briefs that can be used against these arguments. These briefs should contain both evidence and logical arguments against these positions.

In constructing these briefs, it is important to work with the second negative. This is important for several reasons. First, if both negative speakers work together, they will both understand the other speaker's arguments. This is important for two reasons. For the first negative, it means that he or she can present and defend his or her partner's arguments should that be required in a given debate (and it may avoid embarrassing answers in cross-examination). For the second negative, it makes it easier to extend first negative arguments in rebuttal. If the second negative does not know the first negative arguments, either they will not get extended or they will be extended poorly. For that reason, both speakers should know the essential nature of all major negative arguments.

Second, coordination of arguments with the second negative

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assists in deciding the division of responsibilities. At one time, this was not a consideration: it was assumed that the first negative would attack the case and the second negative would attack the plan. This division was made difficult with the introduction of value resolutions, and even in policy debate it is rarely followed. Instead, teams have decided that the best strategy is for the negative team to present the strongest sixteen minutes of arguments, be they case or off-case arguments. This means, however, that sometimes second negatives will argue case arguments and other times first negatives will present off-case arguments. In order to prevent duplication (or a situation where one speaker is left with nothing to say) it is important to make sure that both speakers discuss what arguments they plan to make.

Finally, pre-round discussion is important in order to reduce the possibility of contradictions. Strong negative teams do not simply present a number of scattered arguments. Instead, they work together in order to prepare a coherent negative position. This position ensures that both debaters have thought through all the implications of their arguments, that they have selected the strongest arguments; that they have not overlooked any important negative (or affirmative) arguments, and that the arguments form a persuasive whole. Once these positions are developed, debaters should make sure they have adequate evidence to support these positions.

DURING THE ROUND

If there is a single difference between the content of today's debates and debates of about ten years ago, it is that in many of today's debates there is a great deal of emphasis on theoretical issues and topicality. Since these arguments are often made by the first negative, it is worth examining the nature of these arguments.

Definitions. Many negative teams spend time attacking the negative team's definitions. As I have argued elsewhere, this attention is not always warranted. All topicality arguments can do is define the nature of the resolution and how the debate should be evaluated. They are not, by themselves, always voting issues in value debate. That reservation out of the way, however, I would like to make two observations about the resolution that are often neglected by negative debaters.

First, it is the topic that is the source of all theory arguments in debate. Debaters and coaches have, for a long time, searched for a unified theory of debate. Theorists have debated whether counterwarrants are desirable, the nature of hasty generalizations, and so on. The more I think through the nature of these disputes, the more I am convinced that they have only limited value in determining theoretical disputes since they assume that all debate resolutions are the same. The assumption is that a fixed set of theoretical rules apply to all debates.

This assumption is simply false: not all debate resolutions are the same. Indeed, the structure of CEDA and its use of value resolutions instead of policy topics assumes that policy debate theory does not always apply to value debate. Similarly, not all value resolutions are the same. If the debate topic says "All cases of civil disobedience are justified", the affirmative has a different burden than in a topic worded "Some cases of civil disobedience are justified." In the first case, counter-warrants and hasty generalization arguments would be justified (and maybe even required); for the second topic they would be irrelevant. It is the topic that determines whether a specific strategy is justified, not general debate theory. Articles on a specific theoretical issue generally are useful in only one of two contexts: 1) they may provide guidance to people who vote on debate resolutions (if a voter dislikes counterwarrants; vote for a topic that does not support their use); 2) they may help a judge decide between two otherwise equally good interpretations of the resolution. Where the resolution clearly supports (or prohibits) a theoretical argument, however, debating the merits of that theoretical argument is as useful as arguing that the current topic would be better if it were worded in a different manner. Debaters must live with the wishes of those that voted for the topic, regardless of how unfortunate that choice is.

A second misinterpretation of debaters is the way that topicality should be resolved. I am convinced that the best way to win topicality is to make effective use of cross-examination to develop an understanding of the topic. Dictionaries are often worthless in topicality debate; definitions in dictionaries are often too concise to be of use in debate, and most dictionaries recognize their own limitation. Some of the best indictments of dictionaries can be found in the preface of these dictionaries - Black's Law Dictionary and Ballentine's Law Dictionary both contain many warnings about the tendency to rely on dictionary definitions. Words often have meaning only in a context, and dictionaries cannot describe the context in which the word has a meaning.

How, then, should topicality disputes be resolved? Debaters should begin with two assumptions: Something is topical, and something is not topical. Cross-examination should be used to develop agreed-upon cases that are (or are not) topical. The first negative should begin by asking the affirmative for an example of what is not topical. The cross-ex should continue by asking what is it about the not-topical case that makes it (but not the affirmative) not topical - how can we draw a line between topical and non-topical policies. The negative team should be able to attack the affirmative's distinction and to defend another method of drawing lines. Alternatively, the negative team might think of similarly worded sentences that would not be interpreted in the same manner that the affirmative interprets the resolution. For example, on the topic that the federal government "overemphasizes the rights of the accused", one team argued that we overemphasized the rights of police officers accused of brutality. Some negative

teams argued that, given that interpretation, Hitler "overemphasized the rights of the accused [SS members]." Such an interpretation was implausible, and thus should be rejected.

One implication of this view of debate is that standards for topicality are often overused. Topicality arguments are rarely won on standards; they are won on specific violations. If team argue standards, they should be applied to specific definitional violations (e.g., this specific definition is unreasonable because it makes a word redundant). In addition, it is not enough for a debater to simply state a standard; reasons for the standard need to be given.

Case Attacks

In most cases, the first negative should attack the bulk of the case. Not every affirmative argument should be attacked; instead the negative speaker should determine what affirmative arguments are critical to the case, and should emphasize those arguments. It is important to clash with the affirmative case and reasoning.

Like topicality arguments, many negative speakers do not understand how values are evaluated. Like topicality, teams begin with a understanding that certain actions are moral and certain actions are not just. The best attack on many value standards is to present examples of unjust policies that could be justified, given this standard. A case that argues that life is the ultimate value can be undermined by noting that this decision rule would lead to an acceptance of actions that we would view as being unjust. The debate would then progress in a manner similar to that discussed in the section on topicality. This perspective on argument, however, assumes a certain moral view: that we should base decisions based upon culturally accepted values. The examples used by teams are acceptable or unacceptable, given the shared values of the debaters and judges. The debate thus evolves into a system of attempting to systemize our current moral system and applying it to debate. While some of the examples may be shifted from acceptable to unacceptable by juxtaposing it with other examples or through persuasive appeals, the general framework of this type of argument assumes that current values are accepted.

The alternative to this perspective on argument, however, tends to be a type of argument that is overly reliant on quotations (which are of little utility in value debate since they merely reflect the opinions of a single individual; an opinion that is as open to debate as a team's assertions) or on vague generalities that are often of limited use in real world decisions. While occasionally a Johnstonian ad hominem argument can be launched against a system, I have yet to see such an attack be successfully made in CEDA.

Finally, negative teams may want to re-introduce presumption arguments. Presumption was once an important factor in debates,

although now it has become a less important factor. The reason for this decline in importance is because of a distinction between presumption as a debate argument, as opposed to presumption as decision rule imposed by judges. Traditionally, judges would impose a theory of presumption on debate teams. Gradually, judges began to decide that presumption should not be imposed on the debate because it violated the principle of judge neutrality. This decision was made, in many cases, not because presumption was a bad concept, but because it was felt that it was an argument that should be advanced by debaters in the round, not imposed on debaters by judges. Unfortunately, debaters did not take advantage of this argument. In many rounds, presumption may play a small role because of the nature of the topic, but in other cases teams have simply failed to develop the concept. For example, presumption might be a strong argument against some counter-intuitive arguments. If a team argues that we should support anarchy because a few anarchists like it, the strongest response would be to suggest that anarchy is a huge change, and an irreversible change. The presumption against such a change is great, and a few quotations should not overturn that presumption. Debaters should read material on presumption and risk analysis in order to respond to similar arguments with well-developed arguments.

Value Objections

It has become increasingly common for the first negative to present a "shell" of a second negative argument: The first negative presents a very short version of an argument in order to make the second affirmative respond to the argument. The second negative can then respond to all of the second affirmative's objections. This places a great deal of burden on the affirmative speaker.

There is another advantage to the use of shell arguments in first negative that is often overlooked by debaters. It is not unusual for negative teams to decide that there are several excellent arguments against a case that they would like to argue; unfortunately, some of these arguments may be contradictory. If a team runs all of these arguments simultaneously, the other team might concede one argument to "turn" another argument. The question is, how can a team with two contradictory positions use both positions in the round?

The answer is for the first negative to present one of the two positions in the constructive speech. After the second affirmative responds to the position, the negative team makes a strategic decision: either they attempt to win the initial position (and keep the second position for future rounds) or they concede the affirmative responses, and then second negative introduces the second argument. While the two positions contradict, the two positions are never in the round simultaneously. The first negative should keep all options open for the negative team.

One problem a first negative may face is if the affirmative case preempts a value objection: should the first negative respond to these objections or should the second negative. The answer depends on the specific situation, but it is important that both negative speakers are aware of the preemptions and the strategy selected; otherwise the preemptions may never be answered.

The First Negative Rebuttal. There are a number of issues facing the first negative rebuttalist. First, the debater must decide what to extend. This is often decided in consultation with the second negative. The second negative will often extend some of first negative's arguments, but there should be enough positions left for the first negative rebuttalist to spend an entire speech extending. When in doubt, the team should permit the first negative

Conclusion

Developing an effective negative strategy does not end after the debate. Good negative teams continue developing their strategies after the round. Teams should sit down soon after the round and decide what changes should be made, given the way the debate progressed. Arguments that proved to be unsuccessful should be reevaluated: Should the arguments be discarded? Should they be revised? Should more time be spent on these positions? Less? Is there need for more evidence on these arguments? Even arguments that proved to be successful should be reevaluated: What new responses are likely in the future? What additional evidence is needed? How can the arguments be strengthened or made clearer.

The nature of the affirmative responses should also be analyzed. What did 2AR do, and how could 2AR's position be made more difficult? How could 2AR's responses be preempted? Would a revised strategy open other avenues for the 2AR? Once the debaters receive the ballot, these questions should be raised again, recognizing that judges rarely discuss all of the issues, and some of the arguments that need the most work were not extended in rebuttal and thus unlikely to find their way on the ballot. Successful negative strategy requires hard work and planning, before, during, and after the round.